

**REMARKS**

This Application has been carefully reviewed in light of the Office Action electronically sent May 30, 2007. Claims 1-53 are pending in the Application and are rejected in the Office Action. For the reasons given below, Applicants believe all claims to be allowable over the cited references. Therefore, Applicants respectfully request reconsideration and full allowance of all pending claims.

**Section 112 Rejections**

The Examiner rejects Claims 1, 15, 29, 38, and 46 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of which applicant regards as the invention.

Regarding Claims 1, 15 and 46, Applicants have amended these claims to clarify that “a change in which call manager controls a device” refers to any of the recited plurality of call managers. Thus, the call manager controlling the device could be the recited first call manager, the recited second call manager, or any other call managers (if the recited “plurality of call managers” includes call managers in addition to the first and second call managers). Applicants thus respectfully request reconsideration and allowance.

Regarding Claim 29, Applicants respectfully submit that “one or more device processes controlling one or more devices coupled to the packet-based network” has a plain and ordinary meaning. There are one or more devices that are coupled to a packet-based network and one or more device processes control these devices. Furthermore, since the claim terms “devices” and “device processes” are different terms, the recitation of “with the devices” on lines 5-6 of the claim refers to the previously recited “devices.” Applicants thus respectfully request reconsideration and allowance.

Regarding Claim 38, as suggested by the Examiner, “the devices” on line 4 refers to the “one or more devices” recited on line 3. Applicants thus respectfully request reconsideration and allowance.

### **Section 101 Rejections**

The Examiner rejects Claim 38 under 35 U.S.C. § 101 because the claimed invention is inoperative and therefore lacks utility. Applicants have amended Claim 38 as suggested by the Examiner. Applicants thus respectfully request reconsideration and allowance.

### **Section 102 Rejections**

The Office Action rejects Claims 1, 2-7, 9,<sup>1</sup> 15-53 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,671,262 issued to Kung et al. ("*Kung '262*").

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987); M.P.E.P § 2131. In addition, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claims" and "[t]he elements must be arranged as required by the claim." *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989); *In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990); M.P.E.P § 2131 (*emphasis added*).

Claim 1 of the Application, as amended, recites the following limitations:

A method for device registration replication, comprising:  
providing a plurality of call managers in a packet-based network, each call manager controlling one or more devices coupled to the packet-based network and storing composite registration information associated with the devices;  
communicating status information from a first call manager to a second call manager in response to a change in which call manager of the plurality of call managers controls a device; and  
updating the composite registration information stored by the second call manager in response to receiving the status information.

Independent Claims 15, 38 and 46 recite similar, although not identical, limitations.

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<sup>1</sup> As noted in Applicants' previous Response, Applicants are unsure why Claim 9 is rejected along with these claims when it depends from Claim 8 (which is rejected in light of different references). Correction is respectfully requested.

Independent Claim 1 (as well as independent Claims 15, 38 and 46) is allowable because *Kung '262* does not disclose each and every one of these limitations. For example, *Kung '262* does not disclose “communicating status information from a first call manager to a second call manager in response to a change in which call manager of the plurality of call manager controls a device.” The Office Action asserts that this limitation is disclosed by a disclosure in *Kung '262* that a call manager determines that it needs resources for a call and communicates with other call managers requesting available resources for the call. Applicants fail to see how this disclosure relates in any way to a “change in which call manager of the plurality of call managers controls a device” or “communicating status information from a first call manager to a second call manager” in response to such a change. Although step 1315 discloses communications between call managers, there is no disclosure that such communications are in response to a change in which call manager of the plurality of call managers controls a device.

For at least this reason, Applicants respectfully submit that Claims 1, 15, 38 and 46 are in condition for allowance. Thus, Applicants request reconsideration and allowance of these independent claims, as well as the claims that depend from these independent claims.

Claim 29 of the Application recites the following limitations:

A first call manager coupled to a packet-based network that comprises a plurality of call managers, the first call manager comprising:  
one or more device processes controlling one or more devices coupled to the packet-based network; and  
a digit analysis module storing composite registration information associated with the devices;  
the first call manager operable to communicate status information from the digit analysis module to a second call manager in response to a change in which call manager of the plurality of call managers controls one of the devices.

The Office Action asserts that announcement server 220 of *Kung '262* discloses the claimed digit analysis module. However, there is no disclosure that the announcement server 220 stores composite registration information associated with devices coupled to a packet-based network. Announcement server 220 appears to simply play appropriate messages after a call is attempted. This is not a digit analysis module as claimed. In addition, the Office

Action states that *Kung '262* discloses “the first call manager operable to communicate status information from the digit analysis module to a second call manager in response to a change in which call manager of the plurality of call managers controls one of the devices” at step 1315 of Figure 13. However, as discussed above with respect to Claim 1, nothing in this step or elsewhere in the reference relates to a communication between call managers “in response to a change in which call manager of the plurality of call managers controls one of the devices.”

For at least these reasons, Applicants respectfully submit that Claim 29 is in condition for allowance. Thus, Applicants request reconsideration and allowance of this independent claims, as well as the claims that depend from these independent claims.

Furthermore, the claims depending from Claims 1, 15, 29, 38 and 46 are also allowable because *Kung '262* does not disclose the additional limitations recited in these claims. As with the last Office Action and despite Applicants' repeated requests for more information, the present Office Action does not address *any* of these dependent claims. As noted above, for a claim to be anticipated under Section 102, the law requires that *each and every element* of the claim be found in a single prior art reference. Thus, this imparts a duty on the Examiner to show how the additional limitations recited in each dependent claim (of which there are many and which by definition are not recited in the independent claim) are shown in the cited reference. That has again not been done in this case, and it clearly not sufficient that these claims be rejected simply because they “depend on Claims 1, 15, 38 and 46.” Although Applicants believe that each of these dependent claims include limitations that are not disclosed in *Kung '262*, Applicants cannot rebut arguments that have not been made. Applicants respectfully request that the Examiner either provide reasoning as to why each limitation of each dependent claim is disclosed or allow these claims.

### **Section 103 Rejections**

The Office Action rejects Claims 8 and 10-14 under 35 U.S.C. § 103(a) as being unpatentable by U.S. Patent No. 6,785,223 issued to Korpi et al. (“*Korpi*”) in view of U.S. Patent No. 6,925,076 issued to Dalgic et al. (“*Dalgic*”).

Claim 8 of the Application recites the following limitations:

A method for device registration replication, comprising:  
providing a plurality of call managers in a packet-based network, each call manager controlling one or more devices coupled to the packet-based network and storing composite registration information associated with the devices controlled by the plurality of call managers;  
determining that a first call manager has gone off-line; and  
deleting registration information associated with the first call manager from the composite registration information stored by a second call manager.

Claim 10 of the Application recites the following limitations:

A method for device registration replication, comprising:  
providing a plurality of call managers in a packet-based network, each call manager controlling one or more devices coupled to the packet-based network and storing composite registration information associated with the devices controlled by each of the plurality of call managers;  
determining that a first call manager has come on-line; and  
communicating local registration information associated with devices controlled by a second call manager from the second call manager to the first call manager.

Independent Claim 14 recites similar, although not identical, limitations as Claims 8 and 10.

In order to establish a *prima facie* case of obviousness, three requirements must be met: (1) there must be some suggestion or motivation, either in the references themselves or in the knowledge available to one skilled in the art, to modify a reference or combine multiple references; (2) there must be a reasonable expectation of success; and (3) the prior art reference (or combination of references) must teach or suggest all of the claim limitations. M.P.E.P. § 2143. In the present case, a *prima facie* case of obviousness cannot be maintained at least because neither *Korpi* nor *Dalgic* disclose each and every limitation of Claims 8, 10 and 14.

In *Dialogic*, the Examiner points to the teaching that call state information can be updated at a edge router when a gateway controller fails. However, updating call state information at an edge router is not a disclosure of deleting registration information of devices associated with a first call manager that has gone off-line from stored composite

registration information stored at a second call manager associated with the devices controlled by each of a plurality of call managers (as recited by Claim 8). First, neither reference discloses the storing of *composite registration information* at call managers relating to devices controlled by all of the call managers (i.e., “composite”). At best, *Korpi* discloses at Column 5, lines 47-52 that a gatekeeper stores information associated with the devices associated with that same gatekeeper. Second, “call state information” is not *registration information* as claimed. Finally, *Dialogic* discloses that the edge router updates the call state information, not the gateway controller (which the Examiner asserts is a call manager).

Furthermore, the Office Action again does not address the limitations of Claims 10 and 14 regarding the actions taken when a call manager comes on-line.

For at least these reasons, Applicants respectfully submit that Claims 8, 10 and 14 are in condition for allowance. Thus, Applicants request reconsideration and allowance of these independent claims, as well as the claims that depend from these independent claims.

Furthermore, the claims depending from Claims 8, 10 and 14 are also allowable because neither *Korpi* nor *Dalgic* disclose the additional limitations recited in these claims. As noted with the dependent claims above, the Office Action does not address *any* of the claims that depend Claims 8, 10 and 14. Although Applicants believe that each of these dependent claims include limitations that are not disclosed in the references, Applicants cannot rebut arguments that have not been made. Again, Applicants respectfully request that the Examiner either provide reasoning as to why each limitation of each dependent claim is disclosed or allow these claims.

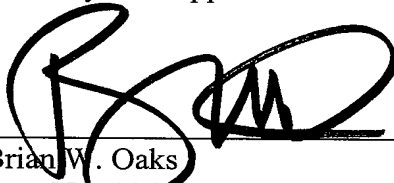
**CONCLUSION**

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully requests full allowance of all pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Brian W. Oaks, Attorney for Applicants, at the Examiner's convenience at (214) 953-6986.

Although no fees are believed to be due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,  
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